

REMARKS

It will be noted that all of the prior claims have been, and are hereby, cancelled and new Claims 31-35 have been added. It will also be noted that Claims 31-35 are, except for the enumeration and dependency of Claims 32-35 and minor editing, are the same as claims as originally submitted. Claim 31 is virtually the same as prior Claim 1 except that "and/or drink" has been amended to read --or drink or both--. In other words, we are now stating in the claims that the feed metering device is for distributing fodder or drink or both rather than "fodder and/or drink." In addition, the referral to reference numerals has been deleted. Accordingly, it is submitted that claims presently submitted clearly avoid the rejection under 35 U.S.C. §112 (second paragraph). It is recognized other terminology might be utilized but it is submitted that Claim 31, as amended, incorporates essentially no change to the original Claim 1 except that the alternative expression "and/or" has been deleted and replaced.

The rejection of the claims under the judicially created Doctrine of Obviousness-Type Double Patenting has been overcome by the Terminal Disclaimer appended hereto.

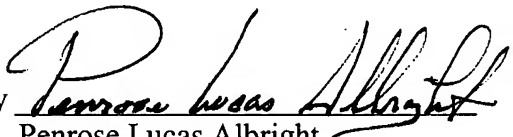
Still further, a substitute Abstract of the Disclosure is submitted herewith with a request that the prior Abstract be deleted. The new Abstract is more directly descriptive of the subject matter set forth in the claims of this Divisional Application and should not, it is further submitted, be objectionable.

We did not receive with the Official Action of April 6, 2004 and therefore are also submitting a copy of U.S. Patent No. 6,651,584 B2. It is assumed that the present Examiner is familiar with the references cited in U.S. Patent No. 6,651,584. However, if not, upon request copies of same can be provided via a further Information Disclosure Statement.

It is submitted that the Application as amended herein is free from ambiguity and avoids the references of record including those cited in U.S. Patent No. 6,651,584 B2, whereby the Application is in form for allowance and a determination to such effect is respectfully requested, whereby the Application will be passed to issue.

Respectfully submitted,

MASON, MASON & ALBRIGHT

By 
Penrose Lucas Albright
Registration No. 19,082

2306 South Eads Street
P.O. Box 2246
Arlington, VA 22202
Tel (703) 979-3242
Fax (703) 979-2526

Filed: October 5, 2004